

CHAITMAN LLP
Helen Davis Chaitman
465 Park Avenue
New York, New York 10022
Phone & Fax: 888-759-1114
hchaitman@chaitmanllp.com

*Attorneys for Defendants listed on Exhibit A
annexed hereto*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	SIPA LIQUIDATION (Substantively Consolidated) Adv. Pro. No. 08-1789 (SMB)
In re: BERNARD L. MADOFF, Debtor.	
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, v. DEFENDANTS IN ADVERSARY PROCEEDINGS LISTED ON EXHIBIT A ¹ , Defendants.	Adv. Pro. Nos. listed on Exhibit A to the Trustee's Motion

¹ See Trustee's Exhibit A, Schedule of Remaining Good Faith Actions, *Picard v. Gladstein*, Adv. Pro. No. 10-04920 (SMB), ECF No. 55-1, annexed hereto as Ex. A-1.

**JOINDER TO GOOD FAITH DEFENDANTS' CONSOLIDATED OPPOSITION
TO THE TRUSTEE'S MOTION TO ESTABLISH AN OMNIBUS PROCEEDING
TO DETERMINE THE EXTENT, DURATION AND SCOPE OF THE ALLEGED
PONZI SCHEME AT BLMIS**

Defendants listed on Exhibit A annexed hereto, represented by Chaitman LLP (“Defendants”), join in and incorporate in full, the Procedural Objections set forth in Point III, A through B, of the memorandum of law submitted in opposition to the Trustee’s Motion (“Consolidated Opposition”, ECF No. 17469, filed April 11, 2018) by Baker & McKenzie, LLP, Pryor Cashman LLP, and Dentons US, LLP, counsel for other defendants subject to the Trustee’s Motion (“Motion”) to establish an omnibus proceeding to determine the extent, duration and scope of the alleged Ponzi scheme at BLMIS.

BASIS FOR JOINDER

1. The basis for joinder is as follows:

- A. There is No Authority to Implement a Procedure That Would Bind All Defendants to Speak Through a Single Spokesperson-Liaison Counsel, or to Prevent Defendants From Seeking Individualized Adjudications on Timely Motions to Opt Out of Any Consolidated Proceedings Where an Appropriate Showing is Made
 1. The opt-in procedure proposed by the Trustee substantively affects Defendants’ rights to defend themselves in their individual actions
 2. The Court should allow defendants to file timely opt-out elections to pursue individual actions on the Ponzi scheme issue separately
 3. Appointment of Liaison Counsel with the power to speak for and bind all Defendants is inappropriate, violating their individual rights in their individual actions – even if consolidated – and where counsel to Defendants can coordinate the handling of any proposed omnibus proceedings

B. The Trustee Should Be Required to Establish a Database of the Relevant Records for the Proceeding, that Is Easily Accessible to the Defendants, Fully Searchable and Not Subject to Any Ability by the Trustee's to Trace Defendants' Searches and Selections of Documents for Review

2. To avoid duplicative briefing, Defendants join the Consolidated Opposition in relevant part.

CONCLUSION

The Defendants respectfully request that the Court deny the Trustee's Motion.

Dated: New York, New York
April 11, 2018

CHAITMAN LLP

By: /s/ Helen Davis Chaitman
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465 Park Avenue
New York, New York 10022
Phone & Fax: 888-759-1114
hchaitman@chaitmanllp.com

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CERTIFICATE OF SERVICE

I hereby certify that on_____, I caused a true and correct copy of the foregoing document to be served upon the parties in this action who receive electronic service through CM/ECF and by electronic mail upon:

BAKER & HOSTETLER LLP

45 Rockefeller Plaza
New York, New York 10111
Telephone: 212.589.4200
Facsimile: 212.589.4201
David J. Sheehan
Email: dsheehan@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Estate of Bernard L. Madoff*

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